

PTO/SB/26 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
MD-240-3 (MD-277)

In re Application of: David Geiger

Application No.: 10/815,055

Filed: March 31, 2004

For: SERVOACTUATOR HAVING MOTOR-DRIVEN ACTUATOR WITH HYDRAULIC FORCE AMPLIFICATION

The owner*, Moog Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,851,261 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

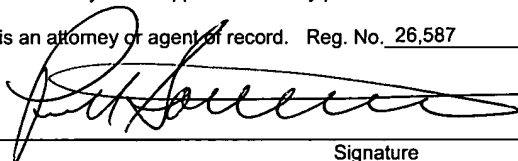
- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 26,587



SignatureMay 25, 2005

DatePeter K. Sommer

Typed or printed name716-847-8400

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

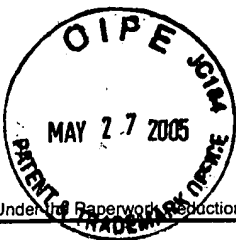
This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

05/27/2005 RFEKADU1 00000055 10815055

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PTO/SB/96 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: David Geiger

Application No./Patent No.: 10/815,055

Filed/Issue Date: March 31, 2004

Entitled: SERVOACTUATOR HAVING MOTOR-DRIVEN ACTUATOR WITH HYDRAULIC FORCE AMPLIFICATION

Moog Inc., a New York corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015174, Frame 0366, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Peter K. Sommer
Signature

May 25, 2005
Date

Peter K. Sommer, Reg. No. 26,587
Printed or Typed Name

716-847-8400
Telephone Number

Patent Counsel
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 25, 2004

PTAS



102716288A

PHILLIPS LYTLE LLP
PETER K. SOMMER
INTELLECTUAL PROPERTY GROUP
3400 HSBC CENTER
BUFFALO, NY 14203

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/31/2004

REEL/FRAME: 015174/0366

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GEIGER, DAVID

DOC DATE: 03/10/2004

ASSIGNEE:

MOOG INC.

JAMISON ROAD

EAST AURORA, NEW YORK 14052

SERIAL NUMBER: 10815055

FILING DATE: 03/31/2004

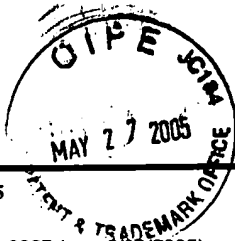
PATENT NUMBER:

ISSUE DATE:

TITLE: SERVOACTUATOR HAVING MOTOR-DRIVEN ACTUATOR WITH HYDRAULIC FORCE
AMPLIFICATION

015174/0366 PAGE 2

MAURICE CARTER, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



04-07-2004

Form PTO-1595
(Rev. 10/02)

RE



OMB No. 0651-0027 (exp. 6/30/2005)

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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

PTO
10/815055



To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

David Geiger

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: March 10, 2004

2. Name and address of receiving party(ies)

Name: Moog Inc.

Internal Address: _____

Street Address: Jamison Road

City: East Aurora State: NY Zip: 14052

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): 10815055

If this document is being filed together with a new application, the execution date of the application is: 3/10/2004

A. Patent Application No.(s) _____

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Phillips Lytle LLP

Internal Address: Intellectual Property Group

Street Address: 3400 HSBC Center

City: Buffalo State: NY Zip: 14203

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

Peter K. Sommer

Name of Person Signing

Signature

March 31, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

04/05/2004 AADDU01 00000006 10815055

03 FC:6021

40.00 DP

ASSIGNMENT

WHEREAS, I, DAVID GEIGER, of 50 Sitka Circle, Orchard Park, New York 14127, have invented certain new and useful improvements in SERVOACTUATOR HAVING MOTOR-DRIVEN ACTUATOR WITH HYDRAULIC FORCE AMPLIFICATION, for which I am about to make application for Letters Patent of the United States; and

WHEREAS, MOOG INC., a New York corporation, of Jamison Road, East Aurora, New York 14052, is desirous of acquiring an interest in the said invention and application, and in any Letters Patent that may be granted therefor:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration to me in hand paid, the receipt whereof is hereby acknowledged, I have assigned, sold and set over, and do hereby assign, sell and set over, unto the said MOOG INC., the full and exclusive right, title and interest in and to the said invention and application for the United States and all foreign countries, as fully set forth and described in the specification prepared and executed by me on the 10 day of MARCH, 2004, preparatory to obtaining Letters Patent therefor; said invention, application, and Letters Patent to be held and enjoyed by the said MOOG INC., for its own use and behoof and for its successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me had this assignment not been made.

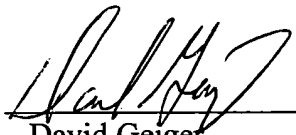
AND I do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent to the said MOOG INC., as the assignee of the entire right, title and interest thereto.

AND I agree to sign and properly execute such necessary and lawful papers for filing continuations and divisions of said application for patent, for interference or re-examination proceedings, for obtaining any reissue or reissues of any Letters Patent that may be granted for my aforesaid invention, as the assignee thereof shall hereafter require and prepare at its own expense.

And I do further understand that in executing this document, I am transferring my entire interest in and to said invention and application(s) to the assignee hereof, and that the attorney(s) that I have appointed in said application(s) also represent the assignee and any

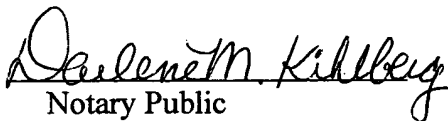
co-inventor(s) identified in said application(s). I consent to such multiple representation for the purpose of prosecuting said application(s), and do hereby authorize said attorney(s) to take all future instructions from the assignee. I am unaware of any potential interest that I may have that differs from, or is adverse to, that of the assignee with respect to the prosecution of this application(s), and I further acknowledge that, prior to executing this document, I did not seek or obtain any legal advice from said attorney(s) with respect to this assignment and that I have been informed of my right to seek independent counsel of my own choosing and at my own personal expense.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal this 10th day of March, 2004.

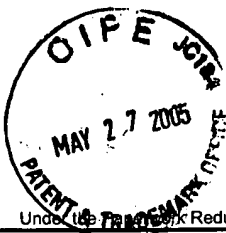

David Geiger L.S.
Mar. 10 2004

STATE OF NEW YORK)
) SS:
COUNTY OF ERIE)

On this 10th day of March, 2004, before me, the subscriber, personally appeared, DAVID GEIGER, to me known and known to me to be the person described in and who executed the within instrument, and he acknowledged to me that he executed the same for the purposes therein mentioned.


Notary Public
DARLENE M. KIHMBERG
Notary Public, State of New York
Qualified in Erie County
My Commission Expires Feb. 24, 2006

Notarial Seal
1369012.01



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: David Geiger

Application No./Patent No.: 6,851,261

Filed/Issue Date: 8 February 2005

Entitled: SERVOACTUATOR HAVING MOTOR-DRIVEN ACTUATOR WITH HYDRAULIC FORCE AMPLIFICATION

Moog Inc., a New York corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013807, Frame 0273, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
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2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

May 25, 2005

Date

Peter K. Sommer, Reg. No. 26,587

Printed or Typed Name

716-847-8400

Telephone Number

Patent Counsel

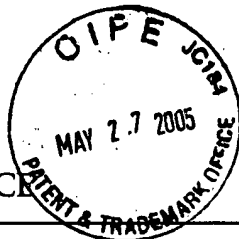
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES
PATENT AND
TRADEMARK OFFICE



JULY 18, 2003

PTAS

PHILLIPS, LYTTLE, HITCHCOCK, ET AL
PETER K. SOMMER
INTELLECTUAL PROPERTY GROUP
3400 HSBC CENTER
BUFFALO, NY 14203

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov



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RECORDATION DATE: 03/03/2003

REEL/FRAME: 013807/0273
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
GEIGER, DAVID

DOC DATE: 02/13/2003

ASSIGNEE:
MOOG INC..
JAIMSON ROAD
EAST AURORA, NEW YORK 14052

SERIAL NUMBER: 10318368
PATENT NUMBER:

FILING DATE: 12/12/2002
ISSUE DATE:

SHAREILL COLES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

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PAT

03-07-2003

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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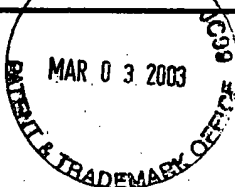
To the Honorable Commissioner of Patents and Trade

102383986

the attached original documents or copy thereof.

1. Name of conveying party(ies):

David Geiger



2. Name and address of receiving party(ies):

Name: Moog Inc.

Internal Address:

Street Address: Jamison Road

City: East Aurora State: NY ZIP: 14052

Additional name(s) & address(es) attached? ☐ Yes ☒ NoAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: February 13, 2003

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

10/318,368

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Phillips, Lytle, Hitchcock,
Blaine & Huber LLPInternal Address: Intellectual Property
Group

Street Address: 3400 HSBC Center

City: Buffalo State: NY ZIP: 14203

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

03/05/2003 BIZINES 00000035 10318368

03 FC:8021

40.00 OP

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Peter K. Sommer, Reg. No. 26,587

Name of Person Signing

Signature

February 24, 2003

Date

Total number of pages comprising cover sheet

1

ASSIGNMENT

WHEREAS, I, DAVID GEIGER, of 50 Sitka Circle, Orchard Park, New York 14127, have invented certain new and useful improvements in SERVOACTUATOR HAVING MOTOR-DRIVEN ACTUATOR WITH HYDRAULIC FORCE AMPLIFICATION, for which I am about to make application for Letters Patent of the United States; and

WHEREAS, MOOG INC., a New York corporation, of Jamison Road, East Aurora, New York 14052, is desirous of acquiring an interest in the said invention and application, and in any Letters Patent that may be granted therefor:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration to me in hand paid, the receipt whereof is hereby acknowledged, I have assigned, sold and set over, and do hereby assign, sell and set over, unto the said MOOG INC., the full and exclusive right, title and interest in and to the said invention and application for the United States and all foreign countries, as fully set forth and described in the specification filed December 12, 2002, and given Serial No. 10/318,368, preparatory to obtaining Letters Patent therefor; said invention, application, and Letters Patent to be held and enjoyed by the said MOOG INC., for its own use and behoof and for its successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me had this assignment not been made.

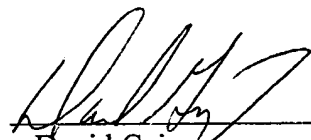
AND I do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent to the said MOOG INC., as the assignee of the entire right, title and interest thereto.

AND I agree to sign and properly execute such necessary and lawful papers for filing continuations and divisions of said application for patent, for interference or re-examination proceedings, for obtaining any reissue or reissues of any Letters Patent that may be granted for my aforesaid invention, as the assignee thereof shall hereafter require and prepare at its own expense.

And I do further understand that in executing this document, I am transferring my entire interest in and to said invention and application(s) to the assignee hereof, and that the attorney(s) that I have appointed in said application(s) also represent the assignee and any

co-inventor(s) identified in said application(s). I consent to such multiple representation for the purpose of prosecuting said application(s), and do hereby authorize said attorney(s) to take all future instructions from the assignee. I am unaware of any potential interest that I may have that differs from, or is adverse to, that of the assignee with respect to the prosecution of this application(s), and I further acknowledge that, prior to executing this document, I did not seek or obtain any legal advice from said attorney(s) with respect to this assignment and that I have been informed of my right to seek independent counsel of my own choosing and at my own personal expense.

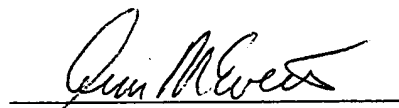
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal this 13th day of Feb., 2003.



David Geiger L.S.

STATE OF NEW YORK)
) SS:
COUNTY OF ERIE)

On this 13th day of February, 2003, before me, the subscriber, personally appeared, DAVID GEIGER, to me known and known to me to be the person described in and who executed the within instrument, and he acknowledged to me that he executed the same for the purposes therein mentioned.



Notary Public

Notarial Seal
1264833.01

ANN M. EVERTS
Notary Public, State of New York
Qualified in Erie County
Commission Expires June 30, 2003